



**MINUTES OF THE SPECIAL JOINT MEETING OF
THE CITY COUNCREDEVELOPMENT
AGENCY OF THE CITY OF HAYWARD,
City Council Chambers 777 B Street, Hayward, CA
94541 Tuesday, October 27, 1998, 8:00 p.m.**

MEETING

The Regular Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member **Henson**.

ROLL CALL

Present: **COUNCIL/RA MEMBERS** Jimenez, Hilson,
Rodriquez, Ward, Dowling, **Henson**
MAYOR/RA CHAIR Cooper
Absent: None

PUBLIC COMMENTS

Elmer Kriewaldt, 473 **Banbury** Street, discussed that the parking ticket problem as a result of street sweeping in his neighborhood had been resolved with the Police Department. Police have been instructed not to ticket cars when it is obvious that the street sweeper has been through. He thanked both the Department of Public Works and the Police Department for their consideration.

Jason **Moreno**, 25200 Carlos Bee Boulevard, spoke about traffic congestion in the City and various other problems, which would occur if Measure HH passes.

Patty Maya, 32575 Mission Boulevard, spoke against the cars for sale on Mission Boulevard which is causing a major problem at their market, Mexico Super. She said it is difficult to know whom to call to deal with the problem.

Romulo Figueroa, 32867 Mission Boulevard, representing the 10 homeowners in the same area, said they, too, are confused as to whether they are in the City limits and whose jurisdiction covers their neighborhood. He agreed that the weekend car sales are destructive to the area.

Francisco **Abrantes**, 22815 Alice Street, spoke on the freedom of speech and the Brown Act.

Evelyn Cornier, 31020 **Carrol** Avenue, spoke on the position of the League of Women Voters regarding their support of the purchase of **baylands** by public agencies in order to protect the wetlands on the shoreline. As a result, the League is not taking a position on Measure HH.

Viola Saima-Barklow, 1210 Tiegen Drive, urged voters to vote no on Measure **HH** and thanked all that endorsed and volunteered towards this effort.

Ron **Barklow**, 1210 Tiegen Drive, indicated that the 578 homes that are intended to be built on the flood plains would be completely surrounded by water. He showed photos of Oliver West as a flooded area and recommended that the area be purchased as **wetlands**. He urged a “no” vote on **Measure HH**.

William Blundin, 1089 **"D"** Street, presented an issue regarding the demolition of a building where he resided. He indicated that the hearing to demolish the building conducted by the Building Appeals Board was held in violation of the Brown Act.

Walter Butler, 22205 Main Street, a twenty-year resident, spoke regarding the ‘lack of response from the Hayward Police Department. He expressed concerns on the speeding of cars on Main Street and a rash of burglaries on his street.

Hector **Caraballo**, 30717 Brae Burn Avenue, spoke in opposition to Measure HH.

Frank Goulart, 22248 Main Street, asked that his Prospect neighbors stand to show support for Walter Butler, the previous speaker. (Approximately ten residents stood to show support for his concerns.) Mr. Goulart also spoke in opposition to Measure HH. He expressed concerns about landfill and traffic.

Regarding the speeding cars on Main Street, Mayor Cooper indicated that staff would send Mr. Butler a form to apply for a speed bump on their street. She indicated that this would take the cooperation of the neighborhood.

John **Vitale**, 22255 Main Street, reiterated what Mr. Butler said regarding the theft of property in the neighborhood. He indicated that there is crime in the neighborhood as a result **of the** various **business** parking lots in the area.

Mayor Cooper said the Police Department would contact him with information on the Neighborhood Alert program.

Anjula Singh, 229 C Street, spoke regarding speeding automobiles and asked for a speed bump. She added that there is suspicious activity at Cannery Park. She suggested that perhaps police might drive around the park to check it out.

Mayor Cooper responded that information would also be sent regarding speed humps, although **"C"** Street is a major artery and this might be difficult.

Peggy Guernsey, 25236 Delmar Street, described several incidents where no police response has occurred. She commented on the previous police presence in the neighborhood and commended Captain Wallace.



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CONSENT

Item 2 was removed for further comments,

1. Approval of Minutes of the Regular meeting of October 13, 1998 and Minutes of the Special Joint City Council/Redevelopment Agency meeting of October 20, 1998.

It was moved by Council/RA Member Henson, seconded by Council/RA Member Dowling, and unanimously carried to approve the Minutes of the Regular meeting of October 13, 1998 and Minutes of the Special Joint City Council/Redevelopment Agency meeting of October 20, 1998.

2. Adoption of an Ordinance Amending Zoning Ordinance and Revising the Sign Regulations

Staff report submitted by City Clerk Reyes, dated October 27, 1998, was filed.

Council Member Dowling asked staff to comment on two questions raised by a constituent regarding developer signs and whether repeat violations are part of the Ordinance.

Development Review Services Director Anderly responded that, at this point, there is no sharing of information with regard to sign ordinances but she would make sure Union City and Fremont receive copies of the Hayward Ordinance. She also explained that repeat violators to the Ordinance are handled within the office of Community Preservation and dealt with accordingly.

Council Member Ward suggested that developers receive notice of the new Sign Ordinance.

Mayor Cooper then noted various comments from a letter received regarding public murals suggesting the requirement of a permit calling for a sketch of the art and the location.

It was moved by Council Member Ward, seconded by Council Member Dowling, and unanimously carried to adopt the following:

Ordinance 98-14 "An Ordinance Adopting a Mitigated Negative Declaration For and Amending Hayward Municipal Code Section 10-1.4993, Part of the Zoning Ordinance; and Revising the Sign Regulations Contained in Hayward Municipal Code Chapter 10, Article 7"

3. Request from Eden Housing, Inc., for Home Investment Partnership Funds to **Acquire** and Rehabilitate Property at 742 Harris Court

Staff report submitted by Community Planning and Economic Development Administrator Bauman, dated October 27, 1998, was filed.

It was moved by Council Member **Henson**, seconded by Council Member Dowling, and unanimously carried to adopt the following:

Resolution **98-181**, "Resolution Authorizing a Loan of \$165,000 from the Home Fund to Eden Housing Incorporated"

HEARINGS

4. Zone Change 98-190-05 and Vesting Tentative Map Tract 7033 - Greystone Homes, **Inc.** (Subdividers); Charles Grimshaw, Ronald E. And Grace E. Marciel (Owners) - Request to Rezone **One** Parcel Totaling 4.2 Acres from Single Family Residential, 6,000 **sq.** ft. Parcel Minimum, and to Subdivide Parcel into 24 Single-Family Parcels Ranging in Size from **5,000 ± sq. ft. to 9,900 sq. ft.** - Property Located at 28191 Hesperian Boulevard
(Continued from 10/13/98)

Staff report submitted by Development Review Services Administrator Anderly, for October 27, 1998, was **filed**.

Development Review Services Administrator Anderly made the staff report describing the re-configuration of Lot 19 as requested at the **October** 13 public hearing. She indicated that the 24 homes would be single family homes.

Director of Public Works Butler provided a review of traffic generated by, this project on the Tahoe Avenue intersection. He reported that a traffic signal at that intersection is not warranted nor would it be with the added development. The **traffic** counts indicated that traffic on Tahoe at peak hours is 100 vehicles, which is substantially less than what would justify a **traffic** signal. The intersection at Catalpa and Hesperian does warrant a traffic signal, and is seventh on the traffic signal priority list, but is not funded in the present **5-year** Capital Improvement Budget. The possibility of a double signal at **Hesperian/Catalpa** and **Hesperian/Tahoe** was considered. **One** of the primary impediments would be the **\$250,000** cost of an offset signal. There would also be operational difficulties. He indicated that there would be benefit at Tahoe to installing the signal at Catalpa.

Mayor Cooper opened the public hearing at **9:03** p.m.

Peggy Guernsey, 25236 Delmar spoke against the development and the installation of the sound wall. She preferred to see a second access for emergency response.



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Dennis Pulizzano, 2528 Tahoe Avenue, expressed concerns regarding community safety and quality of life due to no direct access to Hesperian. He noted that increased housing density might diminish street parking space for residents and their visitors to the new development. He also spoke on the increased traffic and asked staff to explain peak hour traffic counts.

Donald E. Lapidus, representing Greystone Homes, 920 **Hillview** Court, Suite 280, Milpitas, spoke on the alternative for Lot **19** that included planting trees on the lots backing this lot to enhance privacy in addition to **the** screening trees on the other side of Capitola. He responded to questions from the Council.

Mayor Cooper closed the public hearing at 9: 19 p.m.

Fire Chief **Boykin** responded to Council Member Hilson's question regarding the response time for emergency. He noted that the response time to that neighborhood is less than three minutes from Fire Station 4 as compared to other areas where the response time is five minutes or less. The given area would be a definite impact. Staff prefers two accesses, however the early warning systems are connected to a **24-hour** monitoring system.

Council Member **Henson** asked Chief **Boykin** whether the fire apparatus trucks would have negotiable turning space within the new development streets. The streets are to city standards.

Council Member Ward moved to approve the staff recommendation as amended with an additional condition to the landscaping conditions of installing appropriate trees on Lot 19 at the **rear** and side yards. Council Member Jimenez seconded the motion and the additional condition of approval.

Council Member Dowling noted that at the previous public hearing he inquired on the feasibility of requesting the developer to provide funds for the installation of a traffic signal at Tahoe. In light of the staff response that the developer cannot be required to install **this** traffic signal he would be supporting the motion. He thanked both staff and the developer in responding to his inquiry.

It was moved by Council Member Ward, seconded by Council Member Jimenez, and unanimously carried by all present, to introduce and approve the following:

Resolution 98-182, "Resolution Certifying Negative Declaration and Approving Zone Change Application 98-190-05 and Tentative Map Tract 7033, Filed Jointly by Greystone Homes, Inc. (Subdividers) and Charles Grimshaw, Ronald E. and Grace L. Marciel (Owners), for Construction of 24 Single-Family Parcels"

Introduce Ordinance **98-**, "An Ordinance Amending Section **10-1.156** of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Territory at 28191 **Hesperian** Boulevard Pursuant to Zone Change Application **98-190-05**"

5. Certification of Final Environmental Impact Report, and Approving Proposed Amendment to the Downtown Hayward Redevelopment Plan and Related Documents

Staff report submitted by Redevelopment Director Bartlett, dated October **27, 1998**, was filed.

Redevelopment Director Bartlett gave an overview of the report and responded to questions. She indicated that the **5-year** Implementation Plan is intended to serve as a flexible policy guide rather than a budget. It provides a list of projects that is a sub-set of the **full** redevelopment program.

Executive Director **Armas** added that the J-year plan would be reviewed with the Capital Improvement Plan. However, there will be a separation of the two areas with separate accounting systems.

Mayor/RA Chair Cooper opened and closed the public hearing at **9:48** p.m.

Council/RA Member **Henson** said he wanted to be quite sure that all segments of the affected area were notified and that there was interaction of the various groups who would have input into the process. He wanted to be assured that those who would not normally be involved were being included.

Redevelopment Director Bartlett said a Spanish translator was available for this meeting to assist in responding to the Spanish speaking community in that area. The Redevelopment Area Committee will remain constituted for a period of **3-years** in order to be convened as necessary. She clarified that this is the final public discussion of the plan amendment. The next time the Agency hears it will be on November 10 for adoption of the Ordinance.

Council/RA Member Hilson added that there would be other issues in the future decided by the Agency including direction on what types of projects they would like to see.

Council/RA Member **Dowling** suggested that the inconsistencies between this report and a previous report on the school issue mitigation be **corrected**. He then complimented staff for their work, particularly that of including the community into the process.

Council/RA Member Ward emphasized the need to progress as quickly as is reasonably possible to assure that the momentum is continued in the existing redevelopment area. He encouraged the City Manager/Executive Director to encourage the Redevelopment Agency to allocate appropriate



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resources to continue this momentum. He also commended the City Manager/Executive Director and his staff for their creativity, commitment, and capability in bringing this vision to the City.

Council Member **Henson** moved the item, seconded by Council Member Ward.

In speaking to the motion, Council Member **Hilson** said he felt this expansion is a wonderful thing for the City of Hayward and should not take another 20 years. He congratulated staff on both the public process and the timeliness. He said he was impressed and heartened by this action.

It was moved by Council/RA Member **Henson**, seconded by Council/RA Member Ward, and unanimously carried by all present, to approve and introduce the following:

RA Resolution 98-15, "Resolution Certifying the Final Environmental Impact Report, Approving Mitigation Monitoring Plan, and Adopting Findings Required by the California Environmental Quality Act for the Proposed Amendment to the Redevelopment Plan for the Downtown Hayward Redevelopment Project"

Resolution 98-183, "Resolution Adopting Findings in Response to Written Objections to Adoption of the Amendment to the Redevelopment Plan for the Downtown Hayward Redevelopment Project"

Introduce Ordinance **98-**, "An Ordinance Adopting the Fifth Amendment to the Redevelopment Plan for the Downtown Hayward Redevelopment Project"

RA Resolution 98-16, "Resolution Certifying the Final Environmental Impact Report, Approving Mitigation Monitoring Plan, and Adopting Findings Required by the California Environmental Quality Act for the Proposed Amendment to the Redevelopment Plan for the Downtown Hayward Redevelopment Project"

LEGISLATIVE BUSINESS

6. Giuliani Plaza - Approval of the Negative Declaration, Approval of Plans and Specifications, and Call for Bids, and Authorization for Additional Consultant Services

Staff report submitted by Deputy Director of Public Works Bauman, for **October 27, 1998**, was filed.

Public Works Director Butler described the linear park proposal in the staff report noting one change from the site plan. The sidewalk from the sides of the current City Hall out towards the front will be kept. He said he anticipated completion of the project and dedication by March 16, 1999, which would have been Mayor **Giuliani's** birthday. There will be appropriate **signage reflecting** the naming of the plaza for the former mayor at both "**C**" Street and "**D**" Street. He responded to questions regarding the condition of nearby buildings, the 2002 Tree Project as proposed by the Hayward Pride Coalition, the linkage to the library and the light fixtures style.

The project landscape architect responded to questions and noted that there is a light fixture where the 2002 tree will be planted as well as a junction box and small wash lights for the **signage**.

Mayor Cooper opened the public hearing at 10: 12 p.m.

Frank Goulart, 22248 Main Street, said the Friends of the Historic City Hall are very supportive of the park, He then commented that the project seems to be very expensive. He suggested less landscaping to keeping with the original architecture. He suggested that the driveways remain to create interesting pedestrian alleyways. He said he would also like to see a flagpole on the site.

Mayor Cooper closed the public hearing at 10: 15 p.m.

Council Member Ward commented that the costs are the engineer's estimated costs and the bid could come in lower than this.

In response to Council Member **Rodriguez** comments regarding the flag pole, Public Works Director Butler indicated that there is currently a flag pole on the site but it will be removed and none is intended to replace it for the plaza.

Council Member Jimenez indicated that he served on the Council when Mayor Giuliani was mayor and prior to that, when Council Member Jimenez was **fire chief**, worked with him on arson investigations.

It was moved by Council Member Jimenez, seconded by Council Member Ward, and unanimously carried by all present, to approve the following:

Resolution 98-184, "Resolution Approving the Negative Declaration for the Giuliani Plaza, Project No. 6971, Approving Plans and Specifications and Call for Bids and Authorizing Additional Consultant Services"



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7. Informational Report Regarding 510 Area Code Split

Staff report submitted by Budget Administrator Rohrer, for October 27, 1998, was filed.

Finance Director Carter gave an overview of the proposal. At present there are two proposals for area code designations: one would be a geographic split, dividing the current area into two or more areas; the second would be to provide for an area code overlay, as new customers are brought on-line, they would be assigned a new area code.

Mayor Cooper opened the public hearing at 10:21 p.m.

George Granger, External Affairs Director for Pacific Bell, 2150 Webster Street, Room 2030, Oakland, said that Pacific Bell is supporting the area code overlay solution. It is in the long-range interest of all users of telecommunication services.

John Banuelos, Pacific Bell, 140 New Montgomery, discussed the overlay process. It is possible for businesses to have two different area code prefixes in the same building. He commented that the Federal Communications Commission has ruled that when an overlay is created, it must be an all-services overlay. It is projected that 10-digit dialing will occur in 2025.

Mayor Cooper closed the public hearing at 10:45 p.m.

Council Member Dowling asked that staff be directed to bring back a letter to Council at a future date opposing the overlay system.

Council Member Ward worried that the public may not have been aware that Council could direct staff to take a specific action with regard to the issue.

City Manager Armas suggested that staff could prepare two letters, one that speaks to the overlay and one that speaks to the geographic, and then agendize the topic for a future meeting, at which point the public will be invited to comment.

Council Member Rodriguez responded that this would be her preference since she was not prepared to make a decision on the issue.

COUNCIL REPORTS - None made

ADJOURNMENT

Mayor Cooper adjourned at **10:51** p.m.

APPROVED:

Roberta **Cooper**, Mayor, City of Hayward
Chairperson of the Redevelopment Agency

ATTEST:

Angelina Reyes, City Clerk, City of Hayward
Secretary of the Redevelopment Agency